## DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

Docket No. 8222-52

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **THROTTLE CONTROL AND FAILURE ACCOMMODATION**, the specification of which

(check one)		on as Applic	cation Ser (if applica	
-		viewed and understand the co claims, as amended by any ar		
	-	lisclose information which is with Title 37, Code of Federal		•
any foreign application v below and h	application(s) f which designate ave also identif mational applic	ed at least one country other the	cate, or §3 nan the U ation for p	365(a) of any PCT international inited States of America, listed patent or inventor's certificate,
Prior Foreign Application(s)			Priority Claimed	
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No No
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
I haraby alai	m the benefit w	ndor Title 25 United States C	Noda \$12	O of any Imitad States

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.) (Filing Date) (Status - patent/pending/abandoned)

(Application Serial No.) (Filing Date) (Status - patent/pending/abandoned)

I hereby claim the benefit under Title 35, United States Code, §119(e) of any provisional application listed below:

60/399,001 July 27, 2002 (Application Serial No.) (Day/Month/Year Filed)

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: C. David Emhardt, No. 18, 483; Joseph A. Naughton, Jr., No. 19, 814; John V. Moriarty, No. 26,207; John C. McNett, No. 25,533; Thomas Q. Henry, No. 28,309; James M. Durlacher, No. 28,840; Charles R. Reeves, No. 28,750; Vincent O. Wagner, No. 29,596; Steve Zlatos, No. 30,123; Spiro Bereveskos, No. 30,821; Clifford W. Browning, No. 32,201; R. Randall Frisk, No. 32,221; Daniel J. Lueders, No. 32,581; Kenneth A. Gandy, No. 33,386; Timothy N. Thomas, No. 35,714; Kurt N. Jones, 37,996; John H. Allie, No. 39,088; Holiday W. Banta, No. 40,311; Troy J. Cole, No. 35,102; L. Scott Paynter, No. 39,797; Charles J. Meyer, No. 41,996; Matthew R. Schantz, No. 40,800; Gregory B. Coy, No. 40,967; Lisa A. Hiday, No. 40,036; John V. Daniluck, No. 40,581; Christopher A. Brown, No. 41,642; Arthur J. Usher, IV, No. 41,359; Douglas A. Collier, No. 43,556; Brad A. Schepers, 45,431; Scott J. Stevens, No. 29,446; James B. Myers, Jr., No. 42,021; John M. Bradshaw, No. P-46,573; Chuck Schmal, No. 45,082; Quentin G. Cantrell, No. 47,469; David E. Novak, No. 50,752; Edward E. Sowers, No. 36,015; John L. Roberts, No. 50,453; John J. Emanuele, No. 51,653; Denise M. Gosnell, No. 51,748; Jason A. Houdek, No. P54,620; Michael S. Wherry, No. 53,764; and Michael C. Bartol, No. 44,025.

Address all telephone calls to: L. Scott Paynter at (317) 634-3456

Address all correspondence to: L. Scott Paynter, Esquire

Woodard, Emhardt, Moriarty & McNett & Henry LLP

Bank One Center/Tower

111 Monument Circle, Suite 3700 Indianapolis, Indiana 46204-5137

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inv	entor: Zieles, Michael D.		
Inventor's Signature:	Date of Signature:		
Residence:	1380 Honey Locust Court, Columbus, Indiana, 47201		
Citizenship:			
Post Office Address:	1380 Honey Locust Court		
	Columbus, IN 47201		
Full name of second i	nventor: Goerges, Stephanie L.		
Inventor's Signature:	Date of Signature:		
	1520 Thornburg Lane, Franklin, Indiana, 46131		
Citizenship:	United States		
Post Office Address:	1520 Thornburg Lane		
	Franklin, IN 46131		
Full name of third inv	rentor: Lowery, Jason R.		
Inventor's Signature:	Date of Signature:		
Residence:	2811 Beech Drive, Columbus, Indiana, 47203		
Citizenship:	United States		
Post Office Address:	2811 Beech Drive		
	Columbus, IN 47203		